

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

**FEIN, SUCH, KAHN & SHEPARD P.C.**

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Selene Finance, LP as servicer for  
NJCC FUND #5 TRUST  
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In Re:

JORGE MANUEL SOUSA and GRACINDA SOUSA

Debtor(s).

Case No.: 18-23479 KCF

Adv. No.:

Hearing Date: September 11, 2018

Judge: Hon. Kathryn C. Ferguson,  
Chief Judge

**ORDER VACATING THE AUTOMATIC STAY AS TO REAL PROPERTY AND  
GRANTING PROSPECTIVE RELIEF**

The relief set forth on the following pages is hereby **ORDERED**.

Upon the motion of FEIN, SUCH, KAHN & SHEPARD, P.C., attorneys for the Secured Creditor, NJCC FUND #5 TRUST, under Bankruptcy Code section 362(d) for relief from the automatic stay and providing for prospective relief as to certain real property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more action(s) in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as:

421 PROSPECT AVENUE, AVENUEL, NJ 07001-1133

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that the Automatic Stay shall not apply to any future filings by the Debtor(s), JORGE MANUEL SOUSA and GRACINDA SOUSA, their successors, and or assigns, as against Selene Finance, LP as servicer for NJCC FUND #5 TRUST, its successors, or assigns, to act as a bar on the State Court

Proceedings.

It is further ORDERED that the delivery and recording of the Deed is hereby deemed valid.

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The Movant shall serve this Order on the Debtor(s), any trustee and any other party who entered an appearance on the motion.